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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/878,978	06/19/1997	STEPHEN F. LINDER	D/97063	8923

7590 09/09/2004

RONALD ZIBELLI
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EXAMINER

POON, KING Y

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 09/09/2004

36

Please find below and/or attached an Office communication concerning this application or proceeding.



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08/878978

EXAMINER

Poon

ART UNIT	PAPER
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34

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Commissioner for Patents

attached office communication

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1. The brief does not contain arguments of the appellant with respect to each of the issues presented for review in 37 CFR 1.192(c)(6), and the basis therefor, with citations of the authorities, statutes, and parts of the record relied on as required by 37 CFR 1.192(c)(8).

In the final rejection, (paper number 22) the examiner rejected claims 1-5, 8, and 9 under 35 U.S.C. 112, first paragraph.

The appeal brief (paper number 20 which replaces paper number 26) does not mention nor address this rejection in any way. Appellant's brief is required to be responsive to every grounds of rejection stated by the examiner. See 37 CFR 1.192 (c) (3) and (6).

2. Appellant is required to comply with provisions of 37 CFR 1.192(c).

To avoid dismissal of the appeal, Appellant must comply with the provisions of 37 CFR 1.192(c) within the longest of any of the following TIME PERIODS: (1) ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing of this communication; (2) within the time period for reply to the action from which appeal has been taken; or (3) within two months from the date of the notice of appeal under 37 CFR 1.191. Extensions of these time periods may be granted under 37 CFR 1.136.

In the final rejection under U.S.C. 103 the examiner points to the "categorizing" at column 5, line 25, of the Ueda et al. patent to show the parsing of claim 1. At no point

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does the examiner compare the definitions of these two words and explain why the term "categorizing: is deemed to meet the claimed "parsing".

Upon review of Appellants specification, there is no definition of the term "parse"

"Parse" according to Dictionary.reference.com 2004, is to separate into more easily processed components.

"Categorize" according to Dictionary.reference.com 2004, is to assign to categories.

Here is the reason why, according to the examiner after comparing the two words, the term "categorizing" is deemed to meet the claimed "parsing".

The definition for "separate" according to Dictionary.reference.com 2004, is to distinguish or to remove form a mixture or combination.

"To separate into more easily processed components" has the meaning of: 1) there exist an composite object having components, 2) the composite object is being separate into components, and 3) each component is more easily to be processed compare to the composite object.

"To assign to categories" has different the meanings: 1) it could mean that there are one item to be assigned to one of a multiple categories; or 2) it could mean that there are more than one items and the each of the items is assigned to one of a multiple categories. In the second cases, the items could be different items or different components of a composite objects.

Since the meaning of "to assign to categories" depends on how the word "categorize" is being used, the examiner would like to refer back to Ueda to see how the word is being used.

The "categorized" in column 5, line 25, Ueda, is referring to all type of images to be processed by the image processing software (column 4, lines 34-60, column 7, lines 50-57, column 8, lines 3-27) are categorized into three image type.

The image to be processed by the software is being referred as composite image column 7, lines 44-46. In the composite image, there exist different components (various types of image data, column 8, lines 28-29) of the composite image, for example, the photograph, the text and the graphics (column 5, lines 26).

Therefore, the "to assign to categories", in Ueda, is to separate the composite image into components and assign the components to a categories such that each assigned component would be processed by a software program according to the type of category that the component is being assigned.

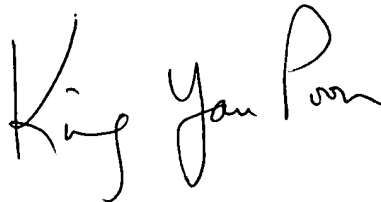
Since the composite image includes: graphic, photograph, and text; processing any one of those components is more easy compare to process the graphic plus the photograph plus the text.

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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is (703) 305-0892.

9/7/04

KING Y. POON
PRIMARY EXAMINER

A handwritten signature in cursive script that reads "King Y. Poon". The signature is written in black ink and is positioned below the printed name and title.